

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LANDON EARL THOMAS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:24-cv-104-DCB-ASH

SOUTHWEST MISSISSIPPI REGIONAL HOSPITAL

DEFENDANT

SECOND AND FINAL ORDER TO SHOW CAUSE

This matter is before the Court sua sponte. On October 28, 2024, the Court entered an Order [4] that directed pro se Plaintiff Landon Earl Thomas to sign and return to this Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4) within thirty days. That Order [4] warned Plaintiff that failure to comply or failure to notify the Court of a change of address could result in the dismissal of this civil action. The Order [4] was mailed to Plaintiff at his last-known address. The envelope containing that Order [4] was returned as undeliverable on November 4, 2024.¹ Mail returned [5] at 1. Plaintiff failed to comply.

When Plaintiff failed to comply with the Order [4], an Order to Show Cause [6] was entered on December 11, 2024. That Order [6] directed Plaintiff to respond and comply with the Order [4] by December 23, 2024. Plaintiff was once again warned that failure to comply or advise the Court of a change of address could result in the dismissal of the instant civil action. Order [6] at 2. The envelope containing that Order [6] was also returned as undeliverable. Mail Returned [7] at 1. Plaintiff again failed to comply.

Because Plaintiff is proceeding pro se, the Court out of an abundance of caution will provide Plaintiff with a final opportunity to comply with the Order [4] entered on October 28, 2024. Accordingly, it is

¹ The Notice of Assignment [2-1] mailed to Plaintiff at his last-known address on October 4, 2024, was returned as undeliverable. Mail Returned [3] at 1.

ORDERED:

(1) That the Clerk mail to Plaintiff at his last-known address a copy of the Order [4] entered on October 28, 2024, and a copy of the Order to Show Cause [6] entered on December 11, 2024.

(2) That Plaintiff **on or before January 21, 2025**, respond to this Second and Final Order to Show Cause in writing and explain why this case should not be dismissed for failure to comply with the Court's Orders [4] [6].

(3) That Plaintiff **on or before January 21, 2025**, comply with the Order [4] of October 28, 2024, by signing and returning to the Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4) attached to that Order [4].

(4) That Plaintiff is required to file his original response to this show-cause Order with the Clerk, 501 E. Court St., Suite 2.500, Jackson, Mississippi 39201.

(5) That failure to advise the Court of a change of address or failure to timely comply with any Order of the Court will be deemed as a purposeful delay and contumacious act by Plaintiff and **will result** in this cause being dismissed without prejudice and **without** further notice to Plaintiff. This is Plaintiff's final opportunity to comply with the Order [4] entered by the Court on October 28, 2024, and Order to Show Cause [6] entered on December 11, 2024.

THIS, the 6th day of January, 2025.

s/Andrew S. Harris
UNITED STATES MAGISTRATE JUDGE